

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6723**

**BILL NUMBER:** SB 149

**NOTE PREPARED:** Dec 23, 2009

**BILL AMENDED:**

**SUBJECT:** Department of child services.

**FIRST AUTHOR:** Sen. Lawson C

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**      **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** Pending

**Summary of Legislation:** Removes the department of child services (DCS) from the entities to which a clerk of the court must forward a petition for adoption. Removes language regarding a child protection team being required to provide diagnostic and prognostic services for DCS or a juvenile court. Specifies how a child's death or near fatality may be determined to have been the result of abuse, abandonment, or neglect for purposes of certain records. Removes certain duties of the office of the secretary of family and social services regarding child welfare. Adds additional information required in a petition for the appointment of a guardian for an incapacitated person or minor. Requires DCS to be notified of certain guardianship petitions and to be allowed to participate in a hearing on certain guardianship petitions. Permits a court to add conditions for a parent to terminate or modify a guardianship. Requires a court to notify DCS if certain petitions to terminate or modify a guardianship are filed. Removes the requirement that certain guardianship petitions be sent to the prosecuting attorney. Allows a juvenile court to request a probate court that retains jurisdiction over a guardianship to conduct additional proceedings. Provides that DCS may petition a court if a parent, guardian, or custodian refuses to allow a child to be interviewed. Prohibits the state police department from charging a fee for: (1) fingerprinting expenses related to criminal history checks conducted by the department; and (2) certain limited criminal history background checks conducted by the department. Requires juvenile courts to pay the Federal Bureau of Investigation for costs of fingerprinting. Provides that if a juvenile court issues an order: (1) establishing or modifying a guardianship; (2) modifying child custody or visitation; or (3) creating or modifying the establishment of paternity; the court in which the original action was filed, or an appropriate court, shall assume primary jurisdiction and shall conduct additional proceedings. Makes a technical correction.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Bill Brumbach, 232-9559.